FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 62

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 16 February, 2016

1. The House met at 11.23 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 28 January, 2016.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement**
***Visitors in the Gallery*:**
Mr Speaker recognized the presence of the following visitors:

(*a*) Staff and Students of Topical International Academy, Bida, Niger State;

(*b*) Staff and Students of St Louis Secondary School, Bompai, Kano State;

(*c*) Member of the National Association of Delta State Students (NADESSTU), University of Abuja Chapter; and

(*d*) Staff and Students of Supreme Kings & Queens Academy, Keffi, Nasarawa State.

4. **Petitions**
(*i*) A petition from Agwulonu & Co., on behalf of Chukwudi Nwadike on the death of Mr Nwadike Stephen Chukwuemeka who died in Malaysia deportation camp on 25 January 2016, was presented and laid by Hon. Austine Chukwukere (*Ideato North/Ideato South Federal Constituency*);

(*ii*) Petitions from the following persons were presented and laid by Hon. Rotimi Agunsoye (*Kosofe Federal Constituency*):

(*a*) Falana & Falana's Chambers on behalf of Messrs E &A Nigeria Limited, on the non-payment of mobilization advance of ten and half percent of their contract sum by the Niger Delta Development Commission (NDDC);

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(*b*) Falana & Falana's Chambers on behalf of B.M.A. Nigeria Limited, on the questionable variations of the contract sum in respect of the contract awarded the Company by the Niger Delta Development Commission (NDDC) and its refusal to make commensurate payment on the contract that has recorded 80% implementation;

(*c*) ABZ Integrated Limited on the non-compliance with the House Resolution of Thursday, 25 September, 2014 which ordered the Economic and Financial Crimes Commission to pay its consultancy fees;

(*d*) Okere Ethelbert on the lopsided promotion exercise conducted by the Comptroller General of Nigerian Prisons Service (NPS) in 2015, and the inability of NPS to audit the account of the Prisons' Cooperative and Multipurpose Society;

(*e*) Regina Chinatu Poto on her involuntary disengagement and non-payment of her entitlements by Diamond Bank Plc;

(*f*) Prof B. E. C. Oguzie and 19 others on the non-payment of their gratuities and other entitlements by Alvan Ikoku Federal College of Education, Owerri, Imo State;

(*g*) Chinedu Temple on his dismissal by the Nigeria Police Force;

(*h*) Okechukwu Ajagha on behalf of Abians Community Development Initiative on fraudulent awards of contracts in the Niger Delta Development Commission by the Abia State representative in the Commission, Mr Nwagboso Aloysius;

(*iii*) A petition from Engr Okeke Amechi Emmanuel on his retirement by the Federal Fire Service, was presented and laid by Hon. Dozie Nwankwo (*Anaocha/Njikoka/ Dunukofia Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

5. Election of the Deputy Speaker as the 1st Deputy Speaker of the ECOWAS Parliament

The Deputy Speaker, Hon. Yussuff Sulaimon Lasun informed the House that he was elected the 1st Deputy Speaker of the ECOWAS Parliament on Friday, 5 February, 2016. He expressed appreciation to the Hon. Speaker and the entire House for their support, and pledged his commitment to work with the current Speaker and other Deputy Speakers of the ECOWAS Parliament to ensure that the Parliament assume full legislative status before the end of their tenure.

6. Presentation of Reports

(*i*) ***Committee on Public Petitions*:**

Report on the Petition by George Temidara Akinfolarin:

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by George Temidara Akinfolarin against the Nigerian Ports Authority on wrongful disengagement from service" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*ii*) ***Committee on Public Petitions*:**
Report on the Petition by Usani Garba Yakassi:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Usani Garba Yakassi against the Federal Airport Authority of Nigeria (FAAN)" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*iii*) ***Committee on Public Petitions*:**
Report on the Petition by Mr Lawal Ayodele:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Mr Lawal Ayodele against the Federal Road Safety Commission for unlawful termination of his appointment without benefits" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*iv*) ***Committee on Public Petitions*:**
Report on the Petition by Moses Ebi and Seventy-Eight Others:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Moses Ebi and Seventy-Eight Others on the alleged wrongful disengagement from the service of the Federal Road Maintenance Agency (FERMA) through the Subsidy Re-Investment Programme (Sure-P)" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*v*) ***Committee on Public Petitions*:**
Report on the Petition by L/CPLC Olayiola Latilo:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by L/CPLC Olayiola Latilo against the Nigerian Army on denial of his benefits" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*vi*) ***Committee on Public Petitions*:**
Report on the Petition by Kaine & Co.:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Kaine & Co. for Mrs Mary Yusuf on the non-payment of death benefit and other entitlements of her late husband, former Chief of Army Staff, Lt-Gen. L. N. Yusuf" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

(*vii*) ***Committee on Public Petitions*:**
Report on the Petition by Nwachukwu Loretta Chinwe and 4 Others:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Nwachukwu Loretta Chinwe and 4 Others, against the Petroleum Products Pricing Regulatory Agency (PPPRA)" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Report laid.

7. **Consolidation of Bills:**
Motion made and Question proposed, "That a Bill for an Act to Amend the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria. 2004, to make Provisions for Proper Utilization of Nigerian Dams under the Control of a given River Basin Development Authority; and for Other Matters Related Thereto (HB. 58); a Bill for an Act to Amend the First Schedule to the River Basin Development Authorities Act, Cap. R9 Laws of the Federation of Nigeria, 2004; and for Other Matters Related Thereto (HB. 235); and a Bill for an Act to Amend the River Basin Development Authorities (Establishment, etc.) Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to provide for the Establishment of the Lower Anambra and Upper Niger River Basin Development Authorities and list them in the First Schedule to the Act; and for Other Matters Related Thereto (HB. 350) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

8. **A Bill for An Act to Establish the National Roads Fund for the Purpose of Financing the Rehabilitation and Maintenance of National Roads; and for Other Matters Connected Therewith (HB. 49); and a Bill for an Act to Establish a Fund known as the Federal Road Fund; and for Other Matters Connected Therewith (HB. 163) — *Second Reading*.**
Motion made and Question proposed, "That a Bill for An Act to Establish the National Roads Fund for the Purpose of Financing the Rehabilitation and Maintenance of National Roads; and for Other Matters Connected Therewith (HB. 49); and a Bill for an Act to Establish a Fund known as the Federal Road Fund; and for Other Matters Connected Therewith (HB. 163) be now read a Second Time" (*Hon. Karimi Steve Sunday — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Committees on Works, and Federal Road Maintenance Agency (FERMA).

9. **A Bill for an Act to Alter Section 147 (3) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to require that a Minister be appointed from the Federal Capital Territory; and for Other Matters Connected Therewith (HB. 342) — *Second Reading*.**
Motion made and Question proposed, "That a Bill for an Act to Alter Section 147 (3) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to require that a Minister be appointed from the Federal Capital Territory; and for Other Matters Connected Therewith (HB. 342) be now read a Second Time" (*Hon. Zaphaniah Bitrus Jisalo — Abuja Municipal/Bwari Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Special Ad-hoc Committee on the Review of the 1999 *Constitution.*

10. **A Bill for an Act to Provide for the Establishment of the Federal Capital Territory University of Science and Technology, Abaji; and for Other Matters Related Thereto (HB. 145) — *Second Reading.***

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal Capital Territory University of Science and Technology, Abaji; and for Other Matters Related Thereto (HB. 145) be now read a Second Time" (*Hon. Zaphaniah Bitrus Jisalo — Abuja Municipal/Bwari Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Committee on Federal Capital Territory (FCT).

11. **Call for Resumption of Work on the New Itawure-Ado Ekiti Road**

Motion made and Question proposed:

The House:

Notes that a contract was awarded to ELSAN NIG. LTD sometime in March 1981 for the construction of the 34 kilometres Itawure-AdoEkiti Road, at the cost of ₦22,703,049.03 with a proposed completion date of May, 1984;

Recalls that soon after the award, the contractor mobilized to site and commenced construction work on the road to the level of about 46.4% when the contract was determined in 1988 after the expenditure of the sum of ₦10,627,980.86;

Worried that arising from the stoppage of work on the road, the entire length has now been overgrown with vegetation and the earthwork done has been washed away by erosion;

Aware that several lives have been lost in accidents at Erio valley and Akanleso slope/bend, among other dangerous spots on the old and narrow road between Itawure and Ado-Ekiti which the abandoned road was meant to replace;

Resolves to:

Mandate the Committee on Works to liaise with the Federal Ministry of Power, Works and Housing to include money in the 2016 Budget Proposal for the resumption of construction of the Itawure/Ado-Ekiti Road (*Hon. Ayodele Oladimeji — Ado-Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question agreed to.

(HR. 33/2016).

Motion referred to the Committee on Works, pursuant to Order VIII, Rule 51 (5).

12. Threat to the Continuation of the Contributory Pensions Scheme by Non-Remittance of Workers Contributions by Employers

Motion made and Question proposed:

The House:

Notes that the Pension Reform Act of 2004 established a contributory Pensions Scheme for the payment of retirement benefits of employees in both the public service and the private sector to avoid the sufferings of retirees under the old scheme;

Also notes that the Scheme required both the employers and the employees to contribute equally to the total 15% in the Principal Act of 2004 and 10% and 8% respectively to the 18% increased total in the 2014 Pensions Reform Act;

Aware that it is the responsibility of employers to remit both the employers and employees contributions to the Pension Assets Custodian specified by Pension Fund Administrator (PFA) of the employee within 7 days that the deduction is made from the salary of the employee, failure of which the National Pension Commission may impose a penalty of not less than 2% of the contribution remaining unpaid on the employer and such penalty shall be recoverable as a debt owed to the employee's retirement savings account;

Also aware that the Pension Scheme appears to have run into a headwind as the Pension Act is observed more in the breach by both the employers and the Pension Fund Administrators (PFAs), which necessitated the 2014 amendment stipulating more and stiffer sanctions;

Concerned about the billions of Naira already deducted from the salaries of employees, but not remitted by employers, coupled with the cases of many other employers which are yet to open retirement savings accounts for their employees which may precipitate a debt crisis that could jeopardize the smooth and successful operation of the Scheme, thus leading to even more suffering for Pensioners under the Scheme, more than happened under the old one it replaced;

Resolves to:

Mandate the Committee on Pensions to investigate the allegations of non-remittance of contributions to the Pension Fund Administrators (PFAs) and obtain a comprehensive report on the operations of the Scheme so far, including a list of defaulting employers, and the amount involved and report back to the House within six (6) weeks for further legislative action (*Hon. Joseph Edionwele — Esan Central/Esan West/Igueben Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted that the Pension Reform Act of 2004 established a contributory Pensions Scheme for the payment of retirement benefits of employees in both the public service and the private sector to avoid the sufferings of retirees under the old scheme;

Also noted that the Scheme required both the employers and the employees to contribute equally to the total 15% in the Principal Act of 2004 and 10% and 8% respectively to the 18% increased total in the 2014 Pensions Reform Act;

Aware that it is the responsibility of employers to remit both the employers and employees contributions to the Pension Assets Custodian specified by Pension Fund Administrator (PFA) of the employee within 7 days that the deduction is made from the salary of the employee, failure of which the National Pension Commission may impose a penalty of not less than 2% of the contribution remaining unpaid on the employer and such penalty shall be recoverable as a debt owed to the employee's retirement savings account;

Also aware that the Pension Scheme appears to have run into a headwind as the Pension Act is observed more in the breach by both the employers and the Pension Fund Administrators (PFAs), which necessitated the 2014 amendment stipulating more and stiffer sanctions;

Concerned about the billions of Naira already deducted from the salaries of employees, but not remitted by employers, coupled with the cases of many other employers which are yet to open retirement savings accounts for their employees which may precipitate a debt crisis that could jeopardize the smooth and successful operation of the Scheme, thus leading to even more suffering for Pensioners under the Scheme, more than happened under the old one it replaced;

Resolved to:

Mandate the Committee on Pensions to investigate the allegations of non-remittance of contributions to the Pension Fund Administrators (PFAs) and obtain a comprehensive report on the operations of the Scheme so far; including a list of defaulting employers, and the amount involved and report back to the House within six (6) weeks for further legislative action (**HR. 34/2016**).

Motion referred to the Committee on Pensions.

13. **Call for lifting of Suspension on the Emirates Airlines from Operating in Mallam Aminu Kano International Airport**

Motion made and Question proposed:

The House:

Notes that Mallam Aminu Kano International Airport, Kano is the oldest and a vital International Airport in Nigeria, operating both commercial passenger and cargo businesses;

Recalls that the first flight operation to Nigeria was in 1925 by a British Royal Air Force plane which landed on the race course, Kano;

Also recalls that by 1936, formal commercial operations had started at the Kano Airport and in the first decade of operation, the Airport became an important refueling stop for airlines flying long-haul services between Europe and Africa;

Aware of the Bilateral Air Service Agreement (BASA) entered into between Nigeria and the United Arab Emirates in 2013 granting permission to Emirates Airlines to operate the Abuja - Kano route;

Also aware that when Emirates Airlines was about to commence full business operations in August 2014, after tickets were sold to customers, the Federal Ministry of Aviation suspended the landing rights earlier granted to the Emirates Airlines on the Kano wing with the assurance that the suspension would only be for a short time;

Further aware that Emirates Airlines has already commenced cargo business to Kano based on the (BASA) signed between the two countries;

Concerned that the delay in lifting the suspension on passenger operations is causing untold hardships to passengers from Kano and other neighbouring States that fly Emirates Airlines to other parts of the world;

Resolves to:

(*i*) Urge the Federal Ministry of Aviation to lift the suspension placed on commercial operations of Emirates Airlines from Kano wing of the route as earlier granted; and

(*ii*) mandate the Committee on Aviation to ensure compliance (*Hon. Aliyu Sani Madaki — Dala Federal Constituency*).

Question agreed to.

(HR. 35/2016).

Motion referred to the Committee on Aviation.

Mr Speaker ordered the Committee on Aviation to monitor the implementation of the House Resolution with utmost urgency and report back to the House within one week.

14. Adjournment:

That the House do adjourn till Wednesday, 17 *February*, 2016 *at* 11.00 *a.m.* (*Hon. Femi Gbajabiamila — House Leader*).

The House adjourned accordingly at 1.43 *p.m.*

Yakubu Dogara
Speaker